

Practitioner's Docket No. 6171-2

IN THE UNITED STATES DESIGNATED OFFICE (DO/US)

EP99/07961	20 October 1999 (20.10.99)	12 November 1998 (12.11.98)
International Application Number	International Filing Date	International Earliest Priority Date

TITLE OF INVENTION: BATTERY SLEEVE MADE OF COLD-ROLLED SHEET METAL AND PROCESS FOR MANUFACTURING BATTERY SLEEVES

APPLICANT FOR DO/US: Hille & Mueller GmbH & Co.; SCHMIDT, Ferdinand; SCHENCK, Anette; MONSCHEUER, Beate ; KOSSLERS, Helmut ; FERENCZY, Dr. Nikolaus; BORISCH, Annette; and OLBERDING, Dr. Werner

Box PCT
 Assistant Commissioner for Patents
 Washington, D.C. 20231
 ATTENTION: DO/US

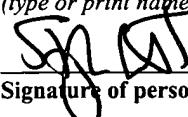
**COMPLETION OF FILING REQUIREMENTS
 FOR INTERNATIONAL APPLICATION ENTERING NATIONAL
 STAGE IN U.S. DESIGNATED OFFICE (DO/US) UNDER 35 U.S.C. section 371**

CERTIFICATION UNDER 37 C.F.R. section 1.10*

(Express Mail label number is mandatory.)

(Express Mail certification is optional.)

I hereby certify that this paper, along with any document referred to, is being deposited with the United States Postal Service on this date 21 June 2001, in an envelope as "Express Mail Post Office to Addressee," mailing Label Number EL 764143743US, addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

 Stephen L. Grant
 (type or print name of person mailing paper)

 Signature of person mailing paper

WARNING: *Certificate of mailing (first class) or facsimile transmission procedures of 37 C.F.R. section 1.8 cannot be used to obtain a date of mailing or transmission for this correspondence.*

***WARNING:** *Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. section 1.10(b).*
"Since the filing of correspondence under [section] 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

This replies to the Notice of Missing Requirements under 35 U.S.C. section 371 and 37 C.F.R. section 1.494 (FORM PCT/DO/EO/905).

A copy of FORM PCT/DO/EO/905 accompanies this response.

DECLARATION OR OATH

I. No original declaration or oath was filed. Enclosed is the original declaration or oath for this application.

FEES

II.

1. Fees for claims

Each independent claim in excess of 3	\$ 0.00
Each claim in excess of 20	\$ 0.00
Multiple dependent claim(s)	\$ 0.00

2. Surcharge fees

Surcharge set forth in Section 1.492(e), for accepting the declaration later than 20 months after the priority date in filing an application in the U.S. as a designated office \$ 130.00

3. Assignment \$ 40.00

Total fees \$ 170.00

PLEASE CHARGE ANY FEE DEFICIENCY TO DEPOSIT ACC. 15-0450.

EXTENSION OF TIME

III. The proceedings herein are for a patent application. The provisions of 37 C.F.R. section 1.1 36(a)
06/25/2001 MNGUYEN 00000144 09831583

01 FC:154 130.00 0P

Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

TOTAL FEE DUE

IV. The total fee due is:

Completion fee(s)	\$ 170.00
Extension fee (if any)	\$ 00

TOTAL FEE DUE	\$ 170.00
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PAYMENT OF FEES

V. Enclosed is a check in the amount of \$ 170.00.

Date: 21 Jun 2001



Signature of Practitioner

Reg. No.: 33,390

Tel. No.: 330-864-5550

Customer No.: 021324

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JUN 18 2001



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
 United States Patent and Trademark Office
 Washington, D.C. 20231
www.uspto.gov

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/831583	SCHMIDT	F 6171-2
INTERNATIONAL APPLICATION NO.		
PCT/EP99/07961		
I.A. FILING DATE		PRIORITY DATE
20 OCT 99		12 NOV 98
15 JUN 2001		
DATE MAILED:		

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated Office (37 CFR 1.494) an Elected Office (37 CFR 1.495):

<input checked="" type="checkbox"/> U.S. Basic National Fee.	<input type="checkbox"/> Indication of Small Entity Status.
<input checked="" type="checkbox"/> Copy of the international application.	<input checked="" type="checkbox"/> Translation of the international application into English.
<input checked="" type="checkbox"/> Oath or Declaration of inventors(s).	<input type="checkbox"/> Translation of Article 19 amendments into English.
<input type="checkbox"/> Copy of Article 19 amendments.	<input type="checkbox"/> Other:
<input checked="" type="checkbox"/> Priority Document.	
<input checked="" type="checkbox"/> The International Preliminary Examination Report in English and its Annexes, if any.	
<input checked="" type="checkbox"/> Translation of Annexes to the International Preliminary Examination Report into English.	
2. Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.

<input type="checkbox"/> U.S. Basic National Fee.	<input type="checkbox"/> Copy of the international application.
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3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:
 - a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.

<input type="checkbox"/> The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
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 - b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
 - c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date.

<input checked="" type="checkbox"/> The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.

 - d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).
4. Additional claim fees of \$150 as a large entity small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.
5. Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.
7. The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

*A copy of this notice **MUST** be returned with this response.*

Enclosed: PCT/DO/EO/917 Notice of Defective Translation
 PTO-875 PCT/DO/EO/920

Pat Booker, Paralegal

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UNITED STATES PATENT AND TRADEMARK OFFICE

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15 JUN 2001

NOTIFICATION OF A DEFECTIVE OATH OR DECLARATION

This application fails to contain an oath or declaration acceptable under 35 U.S.C. 371(c)(4) for entry into the national stage in the United States of America. The period within which to correct the deficiency noted below and avoid abandonment is set in the accompanying Notification.

A new oath or declaration, properly identifying this application (preferably by the international application number and international filing date) is required. The oath or declaration does not comply with 37 CFR 1.497(a), (b) and (f) in that it:

1. is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
2. does not identify the application to which it is directed.
3. does not identify the inventor(s).
4. does not identify the citizenship of each inventor.
5. does not state that the person making the oath or declaration believes the named inventor or inventors to be the original and first inventor or inventors of the subject matter which is claimed and for which a patent is sought.

FAILURE TO SUBMIT AN OATH OR DECLARATION IN COMPLIANCE WITH 37 CFR 1.497(a) AND (b), AND 1.497(d) WHERE APPROPRIATE, WITHIN THE TIME PERIOD SET WILL RESULT IN FAILURE TO ENTER THE NATIONAL STAGE AND THE ABANDONMENT OF THE APPLICATION.

Additionally, the oath or declaration does not comply with 37 CFR 1.63 in that it:

1. does not identify the mailing address of each inventor. If the residence is different from the mailing address, then the city and state or city and foreign country of residence of each inventor must also be given.
2. does not state that the person making the oath or declaration:
 - a. has reviewed and understands the contents of the application, including the claims, as amended by any amendment specifically referred to in the oath or declaration.
 - b. acknowledges the duty to disclose to the Office all information known to the person to be material to patentability as defined in 37 CFR 1.56.
3. does not identify the foreign application for patent or inventor's certificate for which a claim for priority is made pursuant to 37 CFR 1.55, and any foreign application having a filing date before that of the application on which priority is claimed; by specifying the application serial number, country, day, month, and year of its filing.

Pat Booker, Paralegal

Telephone: (703)305-3738

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